

POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)		FOR COURT USE ONLY
DISABLED ADVOCACY GROUP, APLC 12 WILLIAMSBURG LANE CHICO, CA 95926 TELEPHONE NO.: (530) 895-3252 FAX NO. (Optional): (530) 894-8244 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 880 FRONT STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN DIEGO, CA 92101 BRANCH NAME: SOUTHERN DISTRICT - SAN DIEGO		
PLAINTIFF/PETITIONER: Matt Strong DEFENDANT/RESPONDENT: San Diego Mart Associates		CASE NUMBER: 08cv0901BEN RBB
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.:

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:

- ☒ summons
- ☒ complaint
- ☐ Alternative Dispute Resolution (ADR) package
- ☐ Civil Case Cover Sheet (served in complex cases only)
- ☐ cross-complaint
- ☐ other (specify documents):

- a. Party served (specify name of party as shown on documents served):

San Diego Mart Associates

- ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship of party named in item 3a):
Robert W. Dyess, Jr., Authorized Agent

- Address where the party was served: **5000 CAMPUS DRIVE**
NEWPORT BEACH, CA 92660

- I served the party (check proper box)

- ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):

- ☒ **by substituted service.** On (date): **06/27/2008** at (time): **10:25 am** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
Jana Fields, Receptionist

- ☒ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☒ a declaration of mailing is attached.
- ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PETITIONER: Matt Strong	CASE NUMBER:
RESPONDENT: San Diego Mart Associates	08cv0901BEN RBB

- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): **San Diego Mart Associates**
under the following Code of Civil Procedure section:
- | | |
|---|--|
| <input type="checkbox"/> 416.10 (corporation) | <input checked="" type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name: **Barbara Tustison - Janney & Janney Attorney Service, Inc.**
- b. Address: **840 N. Birch St. Santa Ana, CA 92701**
- c. Telephone number: **(714) 953-9451**
- d. The fee for service was: **\$ 60.00**
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: **1501**
- (iii) County: **Orange**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **06/30/2008**



Janney & Janney Attorney Service, Inc.
840 N. Birch St.
Santa Ana, CA 92701
(714) 953-9451

Barbara Tustison

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) DISABLED ADVOCACY GROUP, APLC 12 WILLIAMSBURG LANE CHICO, CA 95928 TELEPHONE NO.: (530) 895-3252 FAX NO.: (530) 894-8244 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY CASE NUMBER: 08cv0901BEN RBB
USDC - SOUTHERN DISTRICT - SAN DIEGO STREET ADDRESS: 880 FRONT STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN DIEGO, CA 92101 BRANCH NAME: SOUTHERN DISTRICT - SAN DIEGO		
PLAINTIFF/PETITIONER: Matt Strong DEFENDANT/RESPONDENT: San Diego Mart Associates		
PROOF OF SERVICE BY MAIL		

I am a citizen of the United States and employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 840 N. Birch St., Santa Ana, CA 92701.

On June 30, 2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Summons; Complaint;

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Santa Ana, California, addressed as follows:

San Diego Mart Associates
5000 CAMPUS DRIVE
NEWPORT BEACH, CA 92660

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at Santa Ana, California in the ordinary course of business.

Fee for Service: 60.00



Janney and Janney Attorney Service
840 N. Birch St.
Santa Ana, CA 92701
(714) 953-9451

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 30, 2008.

Signature: 
 Kelley Hisey

PROOF OF SERVICE BY MAIL

Order#: OC190719/GProof5